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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,018	10/31/2003	Hiroshi Toyama	Q78283	7151
23373	7590	07/26/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			NGO, HOANG X	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

HA

Office Action Summary

Application No.

10/698,018

Applicant(s)

TOYAMA, HIROSHI

Examiner

Hoang Ngo

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's cited prior art (Jap. Pub. No. 2002-162801).

The prior art disclose a color image forming apparatus, comprising a plurality of image carriers 11-14 for at least one color; a plurality of developing devices 41-44 each developing a toner image onto each image carrier, a plurality of charging devices 21-24, each charging the each image carrier, a first power source 303 (Fig. 15), connected to the developing devices in common; a second power source 302 (Fig. 15), connected to the charging devices in common, a controller 300 (Fig. 15), changing a process control of at least one of the charging devices and the developing devices in accordance with a color image forming operation and a monochrome image forming operation (Para. 0010-0013 and Para. 0066).

The prior art further discloses the first power source includes a variable voltage DC power source and a variable frequency AC power source (i.e. AC +DC, Para. 0030); the second power source includes a variable voltage DC power source and a variable voltage AC power source (Para. 0025); the charging device includes either a roller charging mechanism or a brush charging mechanism (Para. 0025); the developing

Art Unit: 2852

device includes either a contact developing mechanism or a non-contact developing mechanism (Para. 0029); the process control includes at least one of a control of a charging bias voltage for applying the charging devices and a control of a developing bias voltage for applying the developing devices (Para. 0066); the charging bias voltage includes either a DC voltage to be singly applied or an alternating voltage superposed with the DC voltage (Para. 0025); the developing bias voltage includes either a DC voltage to be singly applied or an alternating voltage superposed with the DC voltage (Para. 0030); the controller changes the control of the charging bias voltage so as to set a voltage in the monochrome image forming operation higher than a voltage in the color image forming operation (Para. 0059); the controller changes the control of the developing bias voltage so as to set a frequency of an alternating voltage in the monochrome image forming operation higher than a frequency of an alternating voltage in the color image-forming operation (Para. 0059).

Response to Arguments

3. Applicant's arguments filed 5/18/2005 have been fully considered but they are not persuasive. The applicant argues that JP '801 does not disclose changing the process control of charging devices or of developing devices based on a color image forming operation and a monochrome image forming operation. The examiner disagrees because, JP '801, beginning at paragraph 0010 teaches controlling and changing image formation conditions (process control), i.e. electrification devices (charging devices) and developing devices based on a detection of parameter resulting from the concentration of the developed image (color image forming operation)

Art Unit: 2852

including monochrome image forming operation. The applicant further argues that there are no suggestions in JP '801 of any monochrome image forming operation. The examiner also disagrees because monochrome image forming operation are described throughout the reference, for example, in the Field of the Invention and the Description of the Prior Art paragraphs of the JP'801. Also the Applicant admitted that the JP '801 reference teaches the monochrome image forming operation as described in page 3, line 17 of the Specification section.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

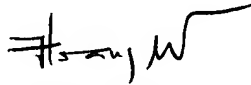
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang Ngo whose telephone number is (571) 272-2138. The examiner can normally be reached on 6:00am - 2:30pm.

Art Unit: 2852

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Hoang Ngo
Primary Examiner
Art Unit 2852

Hn
July 25, 2005